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3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593  
Email: rcharles@lrlaw.com  
John Hinderaker AZ State Bar No. 018024  
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>  
Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOF OF CLAIM  
10725-01551 BY JAYEM FAMILY LP  
IN THE AMOUNT OF \$265,285; AND  
CERTIFICATE OF SERVICE**

Date of Hearing: October 5, 2009  
Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR**

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 26, 2007.

1 **PROOF OF CLAIM 10725-01551, ALLEGING IT IS A DUPLICATE OF PROOF**  
2 **OF CLAIM 10725-02296.**

3 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
4 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS SHOULD  
5 **BE DIRECTED TO THE UNDERSIGNED COUNSEL ((520) 629-4430).**

6 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
7 Omnibus Objection of USACM Trust to Proof of Claim 10725-01551 by Jayem Family  
8 LP in the Amount of \$265,285 (the "Objection"). The USACM Liquidating Trust has  
9 requested that this Court enter an order, pursuant to Bankruptcy Code § 502 and  
10 Bankruptcy Rule 3007, disallowing your Proof of Claim to the extent it is a duplicate of  
11 Proof of Claim No. 10725-02296.

12 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
13 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
14 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
15 **October 5, 2009, at the hour of 9:30 a.m.**

16 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON OCTOBER**  
17 **5, 2009, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
18 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
19 **HEARD ON THAT DATE.**

20 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
21 by September 28, 2009, pursuant to Local Rule 3007(b), which states:

22 If an objection to a claim is opposed, a written response must be filed and  
23 served on the objecting party at least 5 business days before the scheduled  
24 hearing. A response is deemed sufficient if it states that written  
25 documentation in support of the proof of claim has already been provided to  
26 the objecting party and that the documentation will be provided at any  
evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: September 1, 2009.

LEWIS AND ROCA LLP

By s/John Hinderaker (#18024)

Rob Charles, NV 6593

John C. Hinderaker, AZ 18024 (*pro hac vice*)

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

Telephone: (702) 949-8320

Facsimile: (702) 949-8321

E-mail: JHinderaker@lrlaw.com

*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing mailed by first class  
postage prepaid U.S. Mail on  
September 1, 2009 to:

Jayem Family LP  
Jacques M. Massa, Trustee  
7 Paradise Valley Court  
Henderson, NV 89052-6706

s/Renee L. Creswell

Renee L. Creswell  
Lewis and Roca LLP